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NOTICE OF ALLOWANCE AND FEE(S) DUE

20686 7590 03/29/2004
DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
370 SEVENTEENTH STREET
SUITE 4700
DENVER, CO 80202-5647

EXAMINER

COURSON, TANIA C

ART UNIT

PAPER NUMBER

2859

DATE MAILED: 03/29/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,111	05/31/2001	David M. Albert	11028.00	1655

TITLE OF INVENTION: BOWLING BALL ANGULATOR AND METHODS OF USE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	06/29/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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(703) 746-4000**

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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20686 7590 03/29/2004

**DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
370 SEVENTEENTH STREET
SUITE 4700
DENVER, CO 80202-5647**

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1330	\$0	\$1330	06/29/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
COURSON, TANIA C	2859	033-509000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> <p>1 _____</p> <p>2 _____</p> <p>3 _____</p>
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)	(Date)
<p>NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.</p> <p>This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.</p> <p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</p>	

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DORSEY & WHITNEY, LLP INTELLECTUAL PROPERTY DEPARTMENT 370 SEVENTEENTH STREET SUITE 4700 DENVER, CO 80202-5647			COURSON, TANIA C	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 03/29/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

09/873,111

Examiner

Tania C. Courson

Applicant(s)

ALBERT, DAVID M.

Art Unit

2859

Handwritten signature

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Phone Interview & Fax on March 15, 2004.
2. ☒ The allowed claim(s) is/are 1-19,21-26, 28 and 44.
3. ☒ The drawings filed on 31 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>21NOV03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Charles R. Matson on March 15, 2004. The application has been amended as follows:

2. The following changes have been made to the application in order to clearly describe the invention and to define the claimed invention over the prior art of record:

Claims 1-19, 21-26, 28 and 44 have been replaced with:

-- Claim 1. A device for laying out a bowling ball, said device comprising: a semi-spherical base portion, having a center adapted to substantially rest on a curved surface of the bowling ball, the perimeter of said base portion including degree indicators; and at least four curved arms adapted to substantially rest on the curved surface of the bowling ball, said arms including length measurement indicators, said arms connected with and extending from said base portion; wherein at least two of said arms are adapted to rotate about the center of said semi-spherical base portion; and whereby said center contacts the curved surface of the bowling ball and said at least four arms extend along the curved surface of the bowling ball when laying out the bowling ball.

Claim 2. The device in claim 1, wherein at least two of said arms are formed integrally with said base portion.

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Claim 3. The device in claim 1, wherein at least one of said plurality of arms defines an arc of at least 90 degrees.

Claim 4. The device in claim 1, wherein each of said arms is constructed of a flexible material.

Claim 5. The device in claim 1, wherein an edge of each of said at least four arms is aligned with the center of said base portion.

Claim 6. The device in claim 1, wherein said base portion has a partially spherical shape.

Claim 7. The device in claim 1, wherein at least two of said arms extend in opposite directions from the center.

Claim 8. A device for laying out a bowling ball, said device comprising a semi-spherical base portion adapted to substantially rest on a curved surface of the bowling ball, said base portion defined by a solid perimeter portion including degree indicators, a substantially open middle portion, and a center portion, including a center aperture, joined with said perimeter portion; and at least four curved arms adapted to substantially rest on the curved surface of the bowling ball, said arms including length measurement indicators, said arms connected with and extending from said center portion of said semi-spherical base portion; wherein at least two of said arms are adapted to rotate about said center aperture of said center portion; and whereby said semi-spherical base portion contacts a curved surface of the bowling ball and said at least four curved arms extend along the curved surface of the bowling ball when laying out the bowling ball.

Claim 9. The device in claim 8, wherein at least two of said arms are integral to said base portion.

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Claim 10. The device in claim 8, wherein at least one of said plurality of arms defines an arc of at least 90 degrees.

Claim 11. The device in claim 8, wherein said device further comprises a collar that attaches said at least two arms not integral to said base portion with said base portion.

Claim 12. The device in claim 8, wherein each of said arms is constructed of a flexible material.

Claim 13. The device in claim 8, wherein an edge or each of said at least four arms is aligned with the center of said center aperture in said center portion.

Claim 14. The device in claim 8, wherein at least two of said arms extend in opposite directions from said center portion of said base portion.

Claim 15. A device for laying out a bowling ball, said device comprising: a semi-spherical base portion adapted to substantially rest on a curved surface of the bowling ball, the perimeter of said base portion including degree indicators and the center of said base portion including an aperture; and at least three curved arms adapted to substantially rest on the curved surface of the bowling ball, said arms including length measurement indicators, said arms connected with and extending from said semi-spherical base portion; wherein at least one of said arms is adapted to rotate about the center of said semi spherical base portion.: and whereby said semi-spherical base portion contacts a curved surface of a bowling ball and said at least three arms extend along the curved surface of the bowling ball when laying out the bowline.

Claim 16. The device in claim 15, wherein at least two of said arms are integral to said base portion.

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Claim 17. The device in claim 15, wherein one of said arms is not integral to said base portion.

Claim 18. The device in claim 15, wherein said device further comprises a collar that attaches said arm not integral to said base portion with said base portion.

Claim 19. The device in claim 15, wherein an edge; of each of said at least three arms is aligned with the center of said aperture in said base portion.

Claim 21. The device in claim 15, wherein at least two of said arms extend in opposite directions from the center.

Claim 22. A device for laying out a bowling ball having a spherical shape and a curved outer surface, said device comprising: a semi-spherical base portion adapted to substantially rest on a curved surface of the bowling ball, said base portion defined by a center portion including degree indicators and including a center aperture; and at least four curved arms adapted to substantially rest on the curved surface of the bowling ball including length measurement indicators, said arms connected with and extending from said center portion of said semi-spherical base portion; wherein at least two of said arms are adapted to rotate about said center aperture of said center portion; and whereby said semi-spherical base portion contacts the curved outer surface of the bowling ball and said at least four curved arms extend along the curved outer surface of the bowling ball when laying out the bowling ball.

Claim 23. The device in claim 22, wherein at least two of said arms are integral to said base portion.

Claim 24. The device in claim 22, wherein at least two of said arms are not integral to said base portion.

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Claim 25. The device in claim 22, wherein said device further comprises a collar that attaches said at least two arms not integral to said base portion with said base portion.

Claim 26. The device in claim 22, wherein an edge of each of said at least four arms is aligned with the center of said center aperture in said center portion.

Claim 28. The device in claim 22, wherein at least two of said arms extend in opposite directions from said center portion of said base portion.

Claim 44. A device for laying out a bowling ball, said device comprising: a semi-spherical base portion, having a center adapted to substantially rest on a curved surface of the bowling ball; and at least two curved arms adapted to substantially rest on the curved surface of the bowling ball connected with and extending from the base portion; wherein a third arm is curved to extend along the curved surface of the bowling ball, and is adapted to rotate about the center of said base portion; and whereby said center contacts a curved surface of the bowling ball and said at least two curved arms extend along the curved surface of the bowling ball when laying out the bowling ball. --

3. Claims 20, 27 and 29-43 have been cancelled.

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance for Claims 1-19, 21, 26, 28 and 44: the prior art does not disclose or suggest a device wherein a center contacts a curved surface of a bowling ball and at least two curved arms extend along the curved surface of

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the bowling ball when laying out the bowling ball in combination with the remaining limitations of the claims. Furthermore, it should be noted that since the bowling ball is positively claimed in lines 11-13 of claim 1, lines 12-14 of claim 8, in lines 11-13 of claim 15, in lines 11-13 of claim 22, and in lines 9-11 of claim 44, the examiner has considered that the claims are directed to the combination of the bowling ball and the device. Also, applicant acknowledges this combination in the remarks filed with the Draft Amendment attached to the Interview Summary.

5. Any comments considered necessary by applicant must be submitted no later than the a payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tania C. Courson whose telephone number is (571) 272-2239. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez, can be reached on (571) 272-2245.

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The fax number for this Organization where this application or proceeding is assigned is
(703) 872-9306.



DIEGO F.F. GUTIERREZ
SUPERVISORY PATENT EXAMINER
GROUP ART UNIT 2859

TCC
March 19, 2004